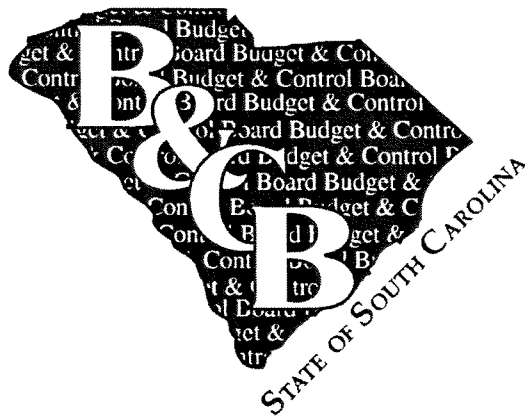


**May 26, 2004**

# State Government News Summary



**Prepared by the Budget and Control Board  
Office of the Executive Director**



Posted on Wed, May. 26, 2004

## Sanford vetoes bowl game, park funds

Legislature has 106 vetoes to debate, with a total value of \$36 million

By VALERIE BAUERLEIN  
Staff Writer

Gov. Mark Sanford has vetoed \$36 million in next year's budget, with the Palmetto Bowl college football game and the renourishment of Hunting Island State Park topping his list of dislikes.

Sanford also vetoed \$20 million in so-called "Maybank money" — additional tax collections that Revenue director Burnie Maybank pledged to find if allowed to hire more auditors.

Sanford did not like that the money would be spent for recurring needs, particularly in the Department of Social Services.

Overall, Sanford vetoed less than 1 percent of the \$5.5 billion budget. He vetoed a large number of items — 106 compared to 22 last year.

Veto highlights include:

- Palmetto Bowl — \$380,000 for a college football game at The Citadel, a 15-year commitment that would total \$5.7 million
- Hunting Island — \$5 million to match federal funds for renourishing the public, undeveloped beach in Beaufort County
- Veterans' memorial — \$250,000 for a monument to state veterans
- Aeronautics Commission — Moving the commission out of the Department of Commerce
- Freedom Weekend Aloft — Cutting \$250,000 out of the Parks, Recreation and Tourism budget for the Anderson County event
- A study on the merits of privatizing medical services — Sanford said instead that privatization makes sense and would work
- State Accident Fund — Moving the independent agency under the jurisdiction of the Department of Insurance

The vetoes are significant because they represent the governor's most direct control over the budget-writing process — chiefly the domain of the General Assembly.

Sanford has taken his limited budget responsibilities seriously. He submitted a 301-page proposed budget in January — a suggestion only, but one more extensive in scope than his predecessors'.

He has reminded legislators repeatedly of his budget priorities: paying back a 2-year-old deficit and repaying trust funds that were raided in lean budget years. Only two weeks ago, he threatened to veto all or most of the budget if the \$155 million deficit were not repaid in hard cash, rather than a combination of cash and the sale of surplus property and vehicles.

But by Tuesday's veto deadline, Sanford had two choices. He could:

- Take a hard line on the vetoes and cross out objectionable big-ticket items, such as all of the \$90 million in Maybank money, instead of a fraction used for one purpose. He also wanted to use \$253 million in new taxes, courtesy of a rebounding economy, to repay past trust fund raids, rather than boost health care or other general spending.

- Declare victory. The House and Senate used some of his ideas in writing their budgets, and they paid back the deficit, even if not precisely as he wanted.

Sanford chose the second option.

Republican legislators said it was the practical decision, especially as there are only five days left in the legislative session. Lawmakers will need to spend precious time debating and deciding whether to override Sanford's vetoes, precious time that could be spent on Sanford's legislative agenda.

Sen. Jim Ritchie, R-Spartanburg, said Tuesday afternoon that he felt sure Sanford would be true to his conscience but also conscious of the political realities.

"The more controversial his vetoes, the greater the debate will be and the more it will slow the balance of the calendar," Ritchie said.

Sanford had until midnight to deliver his veto message to the House. He took every minute. His staff worked through the weekend, and some worked through Monday night and all day Tuesday.

At 7 p.m., Sanford said he was still working on the veto letter. "You know school kids who procrastinate on their homework?" Sanford joked.

But he said he wanted to check and double-check the work. He also has been known to change his mind on what to veto as late as 11 p.m., when a veto was due at midnight.

The House plans to take up the vetoes today. House members, who voted for the budget by a 5-to-1 margin, are expected to override most of the vetoes.

The House plans to finish work late tonight and send the vetoes over to the Senate for consideration early Thursday.

It takes a two-thirds vote in each chamber to override a veto.

Reach Bauerlein at (803) 771-8485 or vbauerlein@thestate.com



Posted on Wed, May. 26, 2004

## Feuding senators locked in standoff

By JENNIFER TALHELM  
Staff Writer

### Feuding senators locked in standoff

If Tuesday was any indication, it's going to be a long final two weeks in the Legislature.

Senate Democrats and Republicans on Tuesday locked into what both sides called a major fight over Gov. Mark Sanford's proposed income tax cut.

Democrats promised to block it and everything else on the Senate agenda until the tax cut is dead, while Republican leaders rallied their troops to prepare to work long into the night to fight for the bill.

"It's clear now we're in a standoff," said Senate President Pro Tem Glenn McConnell, R-Charleston.

Sen. Phil Leventis, D-Sumter, said Democrats are prepared to fight the tax cut until the session ends June 3: "Ladies and gentlemen, we have just started."

If Democrats successfully block the income tax cut, they could hold up all action in the Senate, forcing the Legislature to leave having accomplished little.

Hanging in the balance is almost everything the Legislature had planned to do this year — including reforming the civil court system, restructuring state government, and much of Sanford's agenda.

The income tax cut is Sanford's top priority, and Monday he crisscrossed the state asking small-business owners to urge their senators to support it.

As senators adjourned Tuesday evening, Sanford made a rare appearance outside the Senate chambers. He said he had faith the senators would bring the issue to a vote.

"I trust their judgment," he said. But he added a reminder to senators that partisan politics isn't important to voters who care about the tax cut.

"Though it's partisan right here, ultimately the beneficiary is someone who's not looking at this through partisan glasses," he said.

Democrats say their fight is not about politics; they believe the tax cut would financially ruin state government.

The proposal would lower the state's 7 percent income tax to 4.75 percent in increments over 10 years.

Under a version of the plan approved by a Senate committee, the cuts would come only in years in which state revenues grow at least 3 percent.

Sanford and supporters of the tax cut say it would help small businesses expand and hire new employees and make South Carolina more competitive with its neighbors in recruiting businesses.

Opponents counter that the tax cut would benefit the top rung of taxpayers — those who pay the most tax — and force the state to cut already lean funding for schools and other services.

Senators have known the tax cut would cause a fight that could gum up the works. A week ago, the talk was that

senators would delay the issue until the very end of the session to avoid blocking other bills.

That changed last week when House members tacked the House version of the income tax cut onto a bill dealing with local sales tax referendums. Under Senate rules, that bill has to be voted on first.

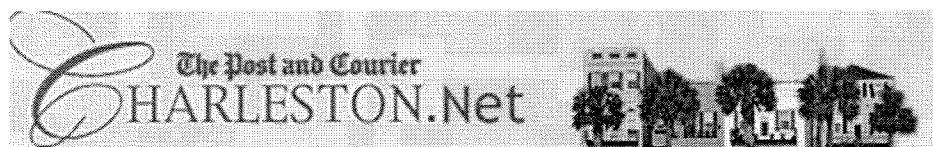
But Democrats are blocking that move using a Senate rule that allows them to continue offering amendments to the bill.

Sen. Brad Hutto, D-Orangeburg, proposed an amendment that would add a provision allowing the Catawba Indians to open a video bingo parlor in Santee. Sen. John Land, D-Clarendon, offered another that would cut taxes for some small corporations.

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## Income tax reduction showdown begins quietly

BY CLAY BARBOUR  
Of The Post and Courier Staff

COLUMBIA--Gov. Mark Sanford got his wish Tuesday as the state Senate took up his controversial income tax reduction plan -- sort of.

For months, the governor's plan to lower the state's highest income tax bracket from the current 7 percent to 4.75 percent over a 10-year-period has crept through the legislative process.

The lukewarm reception to Sanford's top legislative priority irritated the governor, who weeks ago began calling on senators to deal with his agenda quickly.

Last week, 24 of 27 Republican senators signed a paper pledging support for the governor's plan. They said Tuesday would be the day for an income tax showdown. And, the senators warned, supporters of the plan should be prepared to fight through the night for passage. However, on Tuesday, with several senators on leave, the showdown ended before sundown.

"They won't tell you this," said Sen. John Land, D-Manning, "But the Republicans hope we win this thing. They know if this passes, it will put state government in a straight jacket until 2014."

Land led a coalition of Democrats Tuesday who used legislative procedures to avoid talking about the actual bill.

The day started with Sen. Brad Hutto, D-Orangeburg, fighting for an amendment that dealt with video bingo. His amendment was ruled out of order.

Land followed Hutto with an amendment to alter the governor's plan, doing away with the tax cut for individuals, but leaving it for small businesses.

Both measures were intended solely to prevent the Senate from dealing with the governor's plan. It worked, with the session adjourning at 7 p.m.

According to Land, Tuesday proved the Republicans' resolve to fight for the governor's plan is simply not present in the Senate.

"And we're just getting started," he said.

Senate Republican leadership said support for the plan is still there, and many predict a showdown today.

"It's clear that this will be an issue that could lock us down," said Senate President Pro Tem Glenn McConnell, R-Charleston. "It's a square-off, and we are going to have to fight it out."

Sanford, who was waiting outside the Senate chamber Tuesday, said he is not worried.

"This is a multi-step dance," he said. "We expected several delay tactics, so I think we are fine."

Sanford's plan, amended in the Senate Finance Committee, would lower income taxes by .225 percentage points a year for 10 years.

The tax cut would not occur unless the state's general fund grows by 3 percent or more, based on projections of the state Board of Economic Advisors.

Originally, Senate Republican leaders said they would hold off dealing with the controversial issue until the last week of the session. To do otherwise, they feared, would bring the rest of the session to a grinding halt.

On Thursday, a dozen members of the Senate Republican Caucus announced their intention to bring the issue to the Senate floor by early next week.

This, according to Sen. David Thomas, R-Greenville, would be accomplished by attaching the governor's plan to a Senate bill already in the S.C. House. It would allow the bill to return to the Senate and go directly into the "box," which means it would circumvent the calendar and be taken up first.

A similar method was used to get primary seat belt legislation on the Senate floor. Rep. Joel Lourie, D-Columbia, attached that legislation to a hearing-impaired logo bill sponsored by Hutto. The hearing-impaired language was removed from the bill, leaving only the seat belt issue on the document.

But on Tuesday, Land made it clear why Democrats oppose the governor's bill.

"You would have voted to lock government down for the next 10 years for a measly \$100 million," he said. "I don't care whether it was bob-tailed or no-tailed. It doesn't matter. It will destroy your state."

**Clay Barbour** covers the Statehouse. Contact him at (803) 799-9051 or at [cbarbour@postandcourier.com](mailto:cbarbour@postandcourier.com), doing away with the tax cut for individuals, but leaving it for small businesses.

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Posted on Wed, May. 26, 2004

## TODAY AT THE STATE HOUSE

A quick look at what's going on at the Capitol:

- **In the House** — Convenes at 10 a.m. to take up Gov. Mark Sanford's vetoes of the state budget
- **In the Senate** — Convenes at 1 p.m. to take up Gov. Mark Sanford's vetoes of the state budget
- **Elsewhere** — 10 a.m., Department of Juvenile Justice officials announce grant to help at-risk youth, lower lobby, State House

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HILTON HEAD ISLAND - BLUFFTON S.C.

Southern Beaufort County's News &amp; Information Source



## Robert Smalls monument deserves to pass this week

### ***Legislative support for African-American good sign for S.C.***

Published Tuesday, May 25th, 2004

The South Carolina House of Representatives should help make history for the Lowcountry this week by approving a bill to honor Robert Smalls of Beaufort.

The bill would put in motion a public and private move to erect a monument to Smalls on the Statehouse grounds in Columbia. A resolution has been passed by the full Senate and has been received warmly throughout the legislature, thanks in great part to the unanimous support by the Beaufort County Legislative Delegation.

Smalls was born in 1839 in a slave cabin to a 49-year-old house servant in Beaufort. He was fathered by an unknown white man.

He rose from slavery to become one of the most prominent men in the history of this county and state, regardless of their color. He is more than deserving of a monument on the Statehouse grounds.

Smalls is sometimes called the most significant black participant in the Civil War. As a 23-year-old pilot, Smalls commandeered a Confederate ship while the white crew was ashore. He guided the Planter, loaded with ammunition, from a Charleston dock, past Fort Sumter, tooting the right signals to all Confederates before surrendering to a Union blockading ship that almost fired on the Planter.

Smalls would go on to become the first black captain of a U.S. vessel, a major general in the S.C. Militia, a state legislator, a five-term U.S. Congressman and U.S. Collector of Customs in his hometown. He would use a Congressional monetary award for his bravery to buy the home where he and his mother had worked as slaves.

It is fitting that state Sen. Scott Richardson, R-Hilton Head Island, and state Sen. Clementa Pinckney, D-Ridgeland, have worked together in the current legislative session to honor a man who once held their seats, back when Beaufort and Jasper counties were combined.

Smalls pushed for the state government to provide services to the people. He advocated free public schools open to all children, and it is appropriate that a middle school in the Beaufort area bears his name.

In Congress, he was ahead of his time in pushing for a fully integrated military service. He introduced petitions in favor of women's suffrage. He was instrumental in the eventual establishment of Parris Island as a Marine base in Beaufort County.

If the House passes the legislation and Gov. Mark Sanford signs it, a commission would be established to make specific plans and raise the money for the monument. Beaufort County has a number of likely candidates for that commission who would bring a great depth of knowledge and appreciation for the achievements of Smalls.

It is significant for South Carolina that, so far, legislation to honor Smalls has been so well received. The sledding was a lot rougher for the African-American History Monument dedicated on the Statehouse grounds in 2001. But the result is a monument that is both moving and educational. Our Statehouse is the only one in America to have such a monument.

Smalls died in 1915 and is buried at Tabernacle Baptist Church in Beaufort. A quote beneath a bust of Smalls on his grave

advertisement

helps explain the importance statewide recognition could have for future generations of South Carolinians. It says:

"My people need no special defense, for the past history of them in this country proves them to be the equal of any people anywhere. All they need is an equal chance in the battle of life."

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Posted on Wed, May. 26, 2004

## Judgeships go to two white men

By RICK BRUNDRETT  
Staff Writer

Two white men won state Court of Appeals seats Tuesday, defeating a black man and a white woman in a closely watched judicial election in the Legislature.

Black lawmakers have decried the lack of diversity in the state's courts. But the debate has been especially intense this year after a February election for a circuit court seat in which the only two black candidates were not nominated.

In Tuesday's elections, Circuit Judge Paul Short of Chester beat Circuit Judge Casey Manning of Columbia by an 86-76 vote during a joint session.

In the other race, Bruce Williams, a Columbia family court judge, defeated Circuit Judge Paula Thomas of Pawleys Island, 98-68.

Short and Manning were among seven candidates for one of nine seats on the state's second-highest court. A state judicial screening committee nominated the two and Marion Family Court Judge Mary Buchan, though Buchan, who is white, dropped out before the Legislature's vote.

Three candidates sought the other seat. None was eliminated by the screening committee, but nominee Daniel Pieper, a white Charleston circuit court judge, withdrew from that race.

Manning's loss angered black lawmakers.

"I'd say it's business as usual in the South Carolina General Assembly," said Rep. Gilda Cobb-Hunter, D-Orangeburg. "You had some people who flat-out lied (about their support for Manning) and switched their votes."

Rep. Greg Delleney, R-Chester, who chairs the 10-member judicial screening committee, said afterward he was not concerned that two white candidates won.

"You have turns in this life," said Delleney, a white lawyer. "It was Judge Short's turn and it was Judge Williams' turn."

Delleney pointed out that he supported Thomas in Tuesday's election, and last year backed Donald Beatty, who is black, when he defeated Williams for an appeals court seat.

But state Rep. Leon Howard, D-Richland, who is black, said too little consideration was given to Manning and Thomas.

"We're paving the path for a lawsuit," he said. "We rejected a qualified African-American, and we rejected a qualified female."

All but one of 31 voting black lawmakers supported Manning. Black legislators were more evenly split in the other race.

White lawmakers, who dominate the General Assembly, voted almost 2-to-1 for Short, a former House member.

Short has been on the bench 13 years; Manning, 10 years.

Howard said Tuesday's election "demonstrates the need" to pass his bill, which would eliminate the three-person cap on judicial candidates. The bill has passed the House; a Senate Judiciary subcommittee is expected to take it up today.

A study published Monday by The State newspaper found the state's judicial screening committee rejected two-thirds of

black candidates in contested races with more than three candidates.

A study earlier this year by The State found South Carolina's top courts are among the nation's least diverse when compared to the overall black state population. Blacks fill 10 percent of the 60 appellate and circuit seats; the state's black population is 30 percent.

There are no blacks on the S.C. Supreme Court. Beatty is the only black appeals court member.

The statewide debate over the lack of black judges intensified in February after the selection commission did not nominate either Robert Jenkins, the state's only black family court judge, or black Greenville County assistant solicitor Jeff Weston for a circuit court seat for Greenville and Pickens counties. Three white candidates were nominated for the seat, which D. Garrison Hill won.

Manning congratulated Short Tuesday, calling him a "formidable opponent." But he pointed out that Short's wife, Sen. Linda Short, D-Chester, and Delleney "worked tirelessly on his behalf."

"The problem was not that Casey Manning was running against Paul Short; he was running against Linda Short," said I.S. Leevy Johnson of Columbia, a respected black attorney and former state lawmaker. "They didn't vote based on qualifications; they based it on relationships."

Manning won more House votes than Short, but was soundly defeated in the Senate. A House amendment to Howard's bill would prevent immediate family members of lawmakers from running for judgeships while the lawmakers were in office.

Linda Short abstained from voting in her husband's election.

Efforts Tuesday to reach the Shorts were unsuccessful.

Williams, who has been on the bench for nine years, said he plans to "work very hard on the Court of Appeals." But he said he had "no opinion" about the diversity questions surrounding his election.

Thomas' ties to the Legislature as a former Republican lawmaker didn't help her; GOP members voted overwhelmingly for Williams.

Still, Thomas said she plans to seek an appellate seat again.

"I'm not deterred."

Reach Brundrett at (803) 771-8484 or [rbrundrett@thestate.com](mailto:rbrundrett@thestate.com).

MyrtleBeachOnline.com

Posted on Wed, May. 26, 2004

## Appeals Court gets new judges

Lowcountry judge loses her bid

By Zane Wilson  
The Sun News

**COLUMBIA** - Circuit Judge Paula Thomas was defeated 98-68 Tuesday in her bid for a seat on the state Appeals Court.

Family Court Judge Bruce Williams of Columbia won in the election by legislators.

"I'm disappointed," Thomas said but added she is grateful for those who supported her effort.

Thomas, a Pawleys Island resident, said she aspires to an appellate judgeship and will try again when there is another vacancy.

"I absolutely will return," she said.

Rep. Doug Jennings, D-Bennettsville, was one of Thomas' floor leaders or people campaigning for her in the House.

"She is a very capable jurist and a classy lady who was up against a popular family court judge from Columbia," Jennings said.

Williams is progressive and an innovator who started the drug court program in juvenile court, Jennings said.

"Paula should not take the loss as any signal of a lack of confidence in her at all," he said.

"Paula handled herself with dignity and grace, and she will be remembered for that the next time she files," said Rep. Vida Miller, D-Pawleys Island.

Miller said she was disappointed at the outcome because the court should have another woman judge and also because the seat was informally reserved for the Lowcountry and has been lost to the Midlands.

Rep. Tracy Edge, R-North Myrtle Beach, was co-chairman of Thomas' campaign in the House.

He said Thomas' race was influenced somewhat by the campaign for the other seat up for grabs.

Legislators passed up, by 10 votes, a chance to add another black judge to the court. Instead, they picked Circuit Judge Paul Short, husband of Sen. Linda Short, D-Chester.

And because the Senate voted first and Williams had a large majority there, that vote influenced some House members who were on the fence to vote for Williams, Edge said.

All members of the area delegation except Rep. Thad Viers, R-Myrtle Beach, voted for Thomas. Viers said Williams was better qualified.

He said the delegation met with Thomas and advised her not to run because Williams, who lost narrowly for an Appeals Court post last year, had the momentum.

Edge said no such meeting or advice to Thomas occurred.

"It is incomprehensible to me why a member of our own delegation would not support our own judge," Edge said.

Thomas also disagreed with Viers' account.

"They did not meet with me and advise me not to run," she said.

Viers said his support of Williams was not related to his recent admission to law school, where Williams' wife, Sharon Williams, is an assistant dean.

"I got into law school on my own merits," he said. "This really shows the depths the other side would go to."

Sharon Williams is assistant dean for development at the law school, where she is responsible for fund-raising.

Laura Long, a staff member at the law school, said Sharon Williams has no official duties involving admissions.

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### **New Appeals**

*In a session in which some lawmakers increasingly have complained about the lack of diversity in S.C. courts, the General Assembly elected two white men to seats in the state's second-highest court Tuesday.*

*One seat went to Richland County Family Court Judge Bruce Williams, who won an 98-68 vote over Georgetown County Circuit Court Judge Paula Thomas.*

*Chester County Circuit Court Judge Paul Short won the other seat with 86-76 over Richland County Circuit Court Judge Casey Manning.*

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**Contact ZANE WILSON at 520-0397 or [zwilson@thesunnews.com](mailto:zwilson@thesunnews.com).**



Posted on Tue, May. 25, 2004

## Senate throws 95th birthday party for Meetze, chaplain since 1950

Associated Press

**COLUMBIA, S.C.** - The Rev. George Meetze has spent the past 54 years starting each Senate session with a verse and a prayer.

Tuesday, the Senate paused to thank the retired Lutheran pastor and celebrate his 95th birthday, which comes June 24 while the Legislature is out of session.

"I have the highest privilege every morning to take 46 of the finest people on the face of the earth into the presence of almighty God," Meetze told the Senate after they recognized him.

Meetze is known for prayers that ask people to work together in and out of the Legislature. While his words frequently precede some of the Senate's most contentious debates, Meetze says he's a behind-the-scenes, nonpartisan guy and usually won't talk to reporters about what he thinks of the day's issues.

"Today I step from behind the curtain," Meetze said as slices of a big, white birthday cake were passed around and Senators stood in line to have their pictures taken with him.

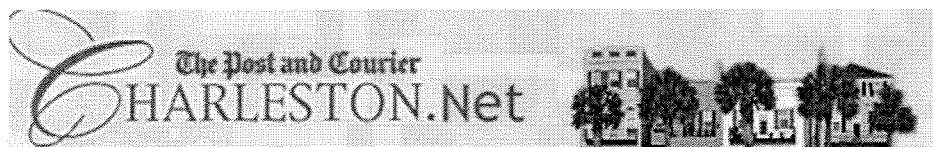
Meetze said society is "gradually sliding into a secular state. And that's the burden that I carry." One hallmark, he said, are court challenges to the words "under God" in the Pledge of Allegiance.

"What a shame and disgrace it is to think we would have to defend a phrase like that," he said.

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## SCE&G to seek hike in rates

Utility hopes to recover costs of \$450M plant

BY KYLE STOCK

Of The Post and Courier Staff

South Carolina Electric & Gas said Tuesday that it would seek to raise electricity rates an unspecified amount to recover the cost of a just-finished \$450 million power plant in Jasper County.

At an annual conference with financial analysts in New York City, Bill Timmerman, chief executive officer of Scana Corp., SCE&G's parent company, said SCE&G would file its intent to raise rates with the Public Service Commission immediately.

Timmerman said it will be sometime this summer before SCE&G will name the amount by which it wants to raise rates, but that he expects any rate increase approved by the PSC to appear on bills in early 2005. The commission has six months to rule on rate-increase requests.

"We, at this point, don't know anything," said Robin Montgomery, a spokesman for the Columbia-based company. "(Our) rate department is going to have to compile a lot of numbers and look at the overall cost of Jasper before we have any kind of specific request."

SCE&G has 574,000 retail and wholesale customers, who comprise about 92 percent of Scana's revenue.

In January 2003, state regulators OK'd a 5.8 percent overall rate increase for SCE&G, which equated to about a 12.5 percent rate of return on equity for the utility and \$4.23 more per month for the average residential customer. The increase added up to an additional \$70.7 million per year in revenue for Scana and allowed it to recover about two-thirds of the cost of the Jasper County plant.

But it was a tough regulatory battle for the utility. Many Palmetto State businesses hired lawyers to challenge the request, and the PSC approved only about two-thirds of the increase Scana requested.

"It was a real fight," said South Carolina Consumer Advocate Eliot Elam.

Elam said Scana got a bigger increase than he expected in 2003. He said he couldn't comment on how contentious the coming review will be.

"Everybody asks for at least a little more than they think they'll get. That's probably true of any negotiation of any rate case," Elam said. "We'll just have

to wait and see the request."

Timmerman said a few factors will help keep the rate request lower than the company expected when it started building the plant in May 2002. The facility was finished on time and on budget, \$276 million of its cost has already been collected, and all of the utility's long-term debt was refinanced in recent years: 85 percent of it is locked in at 5.9 percent.

Scana also recently inked a long-term agreement to sell wholesale power to a group of North Carolina electrical cooperatives. It signed contracts to provide 350 megawatts of electricity per month in 2004 and 2005 and 250 megawatts monthly from 2006 through 2012. Scana would not say how much revenue the contracts will bring.

"I think that has given us a lot of flexibility in terms of the timing -- and certainly the magnitude -- of the price increase that we might look to," Timmerman said.

Scana is also riding on the momentum of healthy earnings. Boosted by its last rate increase, the company swung from a \$142 million loss in 2002 to a \$282 million profit last year.

The utility's net income jumped 20.2 percent in the quarter ended March 30 and revenues rose 6.3 percent. The company said new residential and small-business customers fueled the growth, along with more business from industrial plants speeding up production in step with an improving economy.

The utility reaffirmed its forecast to earn between 3.9 percent and 8.2 percent more this year than last, or a total of \$2.55 to \$2.75 a share. Analysts, on average, are expecting a 5.5 percent earnings increase to \$2.68 a share. The utility also plans to increase its annual dividend 6.1 percent to \$1.46 per share.

Scana stock rose 0.8 percent Tuesday to close at \$34.80.

Click here to return to story:

[http://www.charleston.net/stories/052604/bus\\_26scana.shtml](http://www.charleston.net/stories/052604/bus_26scana.shtml)



## **Catawbas threaten to play video poker card**

By Jason Cato The Herald

*(Published May 26, 2004)*

If the Catawba Indians make good on their controversial plan for a video poker operation in York County, people should expect Las Vegas-style signs near Interstate 77 leading would-be gamblers to a full-fledged casino, according to a tribal representative.

Catawba attorney Jay Bender said Tuesday that should the state fail to endorse tribal plans for a high-stakes bingo operation in Santee, the Catawbas intend to move forward with a video poker casino with as many as 1,000 machines on reservation land located within miles of the highly-commercial eastern end of Dave Lyle Boulevard.

Unlike the main Catawba Indian reservation, east of Rock Hill along the Catawba River, the Carroll tract at the end of Sturgis Road -- where the proposed casino would be -- is easily accessible from I-77 and the Rock Hill Galleria area, Bender said. As a bonus, Bender said if the Dave Lyle Boulevard Extension is ever built, the road would run within 100 yards of the video poker operation. Currently, however, there is no money available to complete the \$100 million road project, planners say.

Gambling opponents, including Sen. Wes Hayes, R-Rock Hill, said they're not surprised by the potential location but added it still isn't certain the tribe is entitled to operate video poker now that the industry has been banned in South Carolina.

Tribal leaders filed a federal lawsuit this month to have a judge decide which side is right. Catawba representatives, however, have said they'd waive any rights to video poker as long as the legislature approved plans for an expanded bingo operation along Interstate 95 in Orangeburg County.

On Tuesday, lawmakers in favor of the Santee plan attempted to add a pending bill that would approve the bingo operation to Gov. Mark Sanford's tax plan. Hayes, who has vowed to do all he can to keep the bill from being approved, said a vote could come today as to whether the bingo bill will be piggy-backed on Sanford's bill.

"This puts me into a dilemma as to whether I filibuster or not," said Hayes, who supports the governor's plan and doesn't want to hold it up. "There may be other ways to beat it without filibustering, though."

Options include the House not agreeing to the combined bills, which would send it back to committees where it could be held up, Democrats filibustering the governor's plan or for Sanford to veto his own bill, Hayes said. "And he may do that. I'm not sure he wants a major expansion of gambling on his watch."

The lawsuit, which Bender said the tribe would move forward with if lawmakers don't approve the Santee bill before adjourning June 3, and the offer to give up rights to video poker is a ploy, Hayes said.

"They're offering to give up something they're clearly not entitled to and they're trying to make it look like they're doing us a favor," Hayes said. "I just can't see appeasing them on expanding gambling to something they're not entitled to."

In 1993, the Catawbas reached a settlement agreement with the state and federal governments that gave the tribe recognition as a limited sovereign Indian nation. The settlement also stopped a barrage of legal filings that could have landed 60,000 landowners in York, Chester and Lancaster counties in a court fight over compensation for 144,000 acres of Indian land taken in the 1840 Treaty of Nation Ford.

The settlement also gave the tribe the right to operate two bingo parlors, one of which must be in the boundaries of the original land claim, as well as video poker on its reservation. The Catawbas opened their Cherry Road bingo hall in 1997.

As a Class I gambling operation, the Cherry Road bingo hall is restricted to being open six days a week, 12 hours a day, and cannot make payouts in excess of \$100,000 per day. If Santee is allowed a Class II bingo operation, patrons could play 24 hours per day, seven days a week through electronic machines that would be networked with other bingo halls across the country for high-dollar jackpots.

Tribal leaders claim they need such a bingo operation because revenues at their Rock Hill bingo hall have plummeted 60 percent since the S.C. Education Lottery began in 2002. That's when plans for the Class II Santee operation were born. Plan B for a video poker casino in York County came about later in an attempt to force state lawmakers to back the plan.

In the mid-1990s, Bender and Catawba Chief Gilbert Blue pledged not to bring video poker to the reservation. That changed when the state got into gambling, Bender said.

"The state has become the tribe's largest and most successful gambling competitor," he said. "Why should the tribe risk its economic future because the state has done something that was unimaginable 10 years ago?"

Crawford Clarkson, who was chairman of then Gov. Carroll Campbell's committee to reach a settlement agreement with the Catawbas, said the tribe is in the right to want an expanded bingo operation and also is entitled to video poker on the reservation.

"We intended to give the Catawbas an opportunity to raise revenues and become self-sufficient. That's why we gave them two bingo halls," said Clarkson, who lives in Columbia. "We also gave them the right to play video poker on their reservation, no matter what. ... I think the tribe is being very fair in its approach."

Clarkson recognizes that his interpretations of the settlement agreement are different from those of Hayes, who also was part of the negotiations. Still, Clarkson believes the courts will eventually side with the tribe.

Hayes said that's possible, but unlikely. Even if the Catawbas are allowed video poker on the reservation, Hayes believes the operation will be bound by state laws the industry had to abide by when video poker was legal in South Carolina.

Video poker came to the state in the late 1980s, but was finally banned in 2000 after a decade-long battle. During the industry's last six or seven years of existence, state laws limited the number of machines allowed at each location and restricted payouts to \$125 per person per day. State law at the time also prohibited video poker operators from advertising.

Hayes and other local gambling opponents say allowing video poker on reservation land under those stipulations would be better than amending the settlement agreement to allow high-stakes video poker in Santee.

Bender says opponents are mistaken if they think a Catawba-run video poker casino in York County would be limited by such regulations.

First, he said, the state approved the settlement before those regulations took effect, so they don't apply, Bender said. Secondly, he said, the state Supreme Court ruled in 2000 -- after video poker was banned -- that the advertising ban was unconstitutional. Lastly, the legislation that banned video poker also repealed the laws that governed the industry, said Bender, adding all that remained was the tribe's right to have video poker.

Still, Bender said, the goal of tribal leaders remains the same: to be financially self-sufficient through a high-stakes bingo operation in Santee.

"Why would the tribe want to stay with its business in York County where there are people who are determined

for the tribe not to succeed instead of going to Santee where they are wanted?" Bender asked.

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Posted on Tue, May. 25, 2004

## "Bingo" is Senate's opening cry in income tax fight

JIM DAVENPORT  
Associated Press

**COLUMBIA, S.C.** - "Bingo" was the one of the first words spoken Tuesday as senators began debating Gov. Mark Sanford's plan to lower the state's top income tax rate.

Sen. Brad Hutto proposed an amendment to the tax plan that would led the Catawba Indian Nation open a high-stakes bingo operation in Orangeburg County near Interstate 95.

"This will bring eleven hundred jobs," the Orangeburg Democrat said. "We will be bringing money into the coffers of this state."

The tribe wants to build an electronic bingo hall in Santee, but they need the General Assembly to pass legislation allowing the operation.

The Catawbas have said if the General Assembly does not pass the legislation before it adjourns, they will put video gambling machines on their reservation near Rock Hill.

The Catawbas recently sued in federal court to assert they have the right to operate the video gambling machines, which the state outlawed in 2000.

Sanford's spokesman Will Folks said the governor does not think a 1993 agreement allows a bingo operation in Santee to use video bingo terminals, and it would be illegal for the Catawbas to operate the machines on the reservation.

After nearly three hours, Hutto's amendment was ruled out of order and an attempt to overrule that failed with a 17-25 vote.

That vote, however, raised questions whether supporters of Sanford's plan would be able to muster the 28 votes needed to shut down a filibuster that loomed Tuesday night.

Sen. John Land, a Manning Democrat expected to lead the filibuster, began talking just after 6 p.m. on another amendment. Land said the corporate income tax laws needed to be changed, with smaller corporations getting \$97 million in tax breaks - putting them at the same rate larger corporations pay.

But Land's intent was clear as he railed against Sanford's income tax plan. He took aim at capping state spending growth for state agencies at \$100 million a year. Limits like that "wouldn't even be keeping up with inflation. You'd be dying on the vine. ... You would be destroying your state," Land said.

The Senate's version of the plan does a little better at \$150 million a year, Land said. But still, "we're going to starve government. ... What are we trying to accomplish?"

Sen. Greg Ryberg, R-Aiken, said \$1 billion in lost tax collections over time are only a small part of the \$10 billion that state budget will grow to. Government doesn't need all that money, he said. "How piggy can government be?" he asked.

Not long afterward, the Senate decided to go home for the day, leaving the fate of a key agenda item for Sanford unresolved.

Income tax supporters said they had to because too many people had gone home for the day. They said that won't happen Wednesday because they'll object to any member wanting to leave early.

The day's biggest accomplishment was "the fact that we got started," Sen. Finance Committee Chairman Hugh

Leatherman, R-Florence, said. Leatherman said the plan is to force members to stay until a deal is made to pass the bill. "That resolve will be there."

"We're going to lock down on this issue and resolve it," Senate President Pro Tem Glenn McConnell, R-Charleston said. "This is one of those issues where you've just got to wear the chamber out."

Land says opponents are willing to spend as much of the remaining five days of the Legislative session as they need trying to derail Sanford's plan. Republicans, he said, confided in him that they want Democrats to kill the proposal. "This is a game," he said.

Sanford said he doesn't think that's happening and wasn't disappointed with the day's progress. "They're committed to bringing this to a vote," Sanford said.

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Wednesday

## Minibottle menace

Posted Tuesday, May 25, 2004 - 9:35 pm

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*Lawmakers should put it on the ballot.*

Only a few days remain of the legislative session but there's time for lawmakers to approve a bill that would likely get rid of minibottles in bars and restaurants.


House lawmakers should approve the bill, which would place a referendum on the November ballot.

We remain the only state in the nation that requires bartenders to use minibottles — similar to those found on airplanes — rather than larger bottles. That gives this Bible belt state the strongest drinks in the nation.

Minibottles contain 1.7 ounces of liquor. Drinks that require more than one liquor will be even more intoxicating. In every other state in the nation, however, bartenders pour from larger bottles. Those drinks generally contain 1 ounce to 1.25 ounces of alcohol.

It's not hard to detect a connection between South Carolina's potent mixed drinks and our state's high rate — the worst in the nation — of drunken-driving deaths. Minibottles certainly are not the only cause of alcohol-related fatalities on our roads, but they contribute to highway deaths. For that reason, they need to go.

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Posted on Wed, May. 26, 2004

## Thousands of carp dying in lakes

**Disease likely culprit in lakes Marion, Moultrie, but it has not spread to other fish**

By SAMMY FRETWELL  
Staff Writer

Tens of thousands of carp are dying at lakes Marion and Moultrie in what state officials say is an unprecedented fish kill.

So far, the die-off is confined to what are known as common carp and has not affected popular recreational species, such as bass and catfish, according to the S.C. Department of Natural Resources.

But agency officials are closely watching in case other types of fish begin to die in large numbers. Lakes Marion and Moultrie are between Columbia and Charleston.

The carp, eaten by some subsistence fishermen, are likely being killed by a common disease called columnaris that, for some reason, has not affected other fish, according to the DNR.

Agency officials said the deaths of tens of thousands of carp make up the largest fish kill they have seen for that species. It also is the state's largest fish kill linked to a disease, they say.

State wildlife officials say they encounter a major fish kill about every two years, often resulting from low oxygen levels.

"We are still closely monitoring the carp die-off to determine its extent and that it does not begin to affect valuable game and food fish species," said Scott Lamprecht, a DNR fisheries biologist investigating the fish kill.

State health department officials, who issue fish consumption advisories, could not say Tuesday whether people should eat carp from the lakes.

Lamprecht said the disease is no threat to humans but he wouldn't eat diseased fish. And he said he would not recommend swimming in water littered with dead carp because of bacteria. He suggested staying about 10 feet away.

In coming weeks, lakeside homeowners may notice the rotting smell of fish as more carp wash up on the shore. In one instance, about 50 carp littered a 150-yard stretch of shore recently.

DNR officials said they learned about the carp die-offs in early May in the Santee River, which runs from Lake Marion to the coast. Some carp have been dying in the Congaree River, which flows from Columbia to Lake Marion. Dead carp also have been found in a canal linking lakes Moultrie and Marion.

Columnaris is usually caused by some kind of stress on fish, such as high water temperatures, low oxygen levels or too many fish in one area. The disease typically causes lesions on the gills, skin or fins of fish. It can affect any number of species, and can be spread from carp to other fish, said John Grizzle, a fish pathologist at Auburn University.

DNR officials do not believe the die-off was caused by pollution because it has affected only carp, the agency's freshwater fisheries chief, Val Nash, said.

Columnaris may be affecting only carp because their immune systems were weak following a cool spring, Lamprecht said.

The DNR has, however, consulted with researchers at Auburn University and in England to learn more about the problem. Carp, which can grow to 25 pounds or more, were introduced from Europe more than 100 years ago by the federal government as a food source, even though relatively few people eat them today.

It's good news that other fish haven't been affected, state officials say. Lakes Marion and Moultrie are nationally

acclaimed by anglers for bass and catfish. At one time or another, the lakes have produced record catfish and striped bass. The lake system also hosts national and regional fishing tournaments each year.

Sharon Priester, an employee at Jack's Creek Marina near Summerton, said she's been getting reports of dead carp from anglers who use the marina on Lake Marion. She also has seen several dead carp and shad while fishing on the lake, Priester said.

"Fishermen who come in here wonder what's causing it, but they haven't been given any explanation," she said. "If this spreads, it would hurt catfishing a lot."

Carp are omnivorous fish that compete with native species and ducks for food. They also wreck the nests of other fish. Some people consider them a nuisance species, and some states have even tried to eradicate them.

Reach Fretwell at (803) 771-8537 or [sfretwell@thestate.com](mailto:sfretwell@thestate.com)

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## Alcohol addiction cited in doctor's suspension

### ***Medical board finds Johnston to be 'serious threat to the public health'***

BY E.J. SCHULTZ, *The Island Packet*

Other stories by E.J. Schultz

Published Wednesday, May 26th, 2004

Citing alcohol addiction, the state Board of Medical Examiners on Tuesday temporarily suspended the medical license of local cardiologist Dr. James D. Johnston.

The board, citing an emergency room incident this past March in

which Johnston allegedly attempted to treat a patient while impaired, found Johnston to be addicted to alcohol to such a degree that he constitutes a "serious threat to the public health, safety and welfare," according to the order.

The ruling took effect at the close of business Tuesday.

The board also found that Johnston has failed to follow through on an extensive alcohol addiction review he recently was ordered to undergo.

Johnston practices at Hilton Head Regional Medical Center. The doctor was suspended from the hospital March 16, the date the emergency room incident allegedly occurred. But the suspension was lifted March 26, after Johnston requested a leave of absence, according to the Board of Medical Examiners' order.

The board, which in 2001 had a similar order against Johnston overturned by a state administrative law judge, filed a new complaint against him April 26, 2002. It alleges the doctor has an "unethical and unprofessional alcohol abuse problem which adversely affects his ability to treat patients," according to the board order. That matter still is pending.

Johnston, his locally based attorney Stephen Carter and Hilton Head Regional Medical president Dennis Bruns could not be reached for comment early Tuesday evening.

It was the March 16 emergency room incident that seemed to push the board to issue the temporary suspension, which was posted on the Board of Medical Examiners' Web site early Tuesday evening.

According to the order, the board was alerted to the incident by an anonymous letter it received March 25. The letter stated that Johnston was asked to leave the emergency room because he was impaired and that another physician assumed care of the patient. The patient was an 82-year-old Sun City Hilton Head resident who was suffering from heart failure.

A second letter, sent by Hilton Head Regional Medical Center's medical director, Dr. Glenn Love, notified the board that Johnston had been suspended from the hospital "due to possible impairment while on call for the emergency department."

On March 24, two days before Johnston's hospital suspension was lifted, the doctor entered the Recovering Professionals Program, a state agency tasked with aiding the recovery of health professionals who are impaired by substance abuse, according to affidavits given to the medical examiners board.

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The program's staff recommended Johnston get an intensive evaluation at the Medical University of South Carolina, according to Tuesday's order. But staff at the Recovering Professionals Program later found out that Johnston only got a " cursory examination " at MUSC, according to an affidavit submitted to the Board of Medical Examiners by Hugh Coleman, medical director of the Recovering Professionals Program.

Upon that revelation, the staff at the Recovering Professionals Program directed Johnston to submit to a more extensive review, at MUSC or a similar facility in Atlanta.

Johnston agreed to such an evaluation, signing two consent forms, according to the Board of Medical Examiners. But he has failed to follow through on it, according to Tuesday's order,

Johnston was supposed to notify the Recovering Professionals Program by April 27 about which of the two places he'd chosen for his evaluation -- Atlanta or MUSC. But as of May 14, "the staff has not heard from (Johnston) again," according to the Board of Medical Examiners' order.

Johnston, the board states in the order, "has regained his hospital privileges without complying with the Recovering Professionals Program's recommendations."

The extensive evaluation Johnston was ordered to undergo was to be performed during a 49- to 96-hour stay and would have included a physical examination; a tabulation of addiction history; and intelligence and psychological tests, according to the order.

Since 1996, Johnston, 45, has been charged three times with DUI. He was found not guilty once, pleaded guilty to a reduced charge of reckless driving another time, and saw the third DUI charge, written up July 14, 2001, dismissed, according to court records. The doctor has lost his driver's license twice for refusing to take a blood-alcohol test after being pulled over, according to records.

Johnston, described as brilliant and gifted by many patients, first came before the Board of Medical Examiners in 2001. The board, citing alcohol abuse, temporarily suspended his license.

But the order was overturned on an appeal to the state Administrative Law Judge Division. Judge C. Dukes Scott ruled the board "presented no competent evidence" that Johnston had a drinking problem.

Thwarted, the board later ordered Johnston to undergo an evaluation, but that order also was overturned on appeal. Chief Judge Marvin Kittrell ruled that evidence didn't show that Johnston was addicted to alcohol "to such a degree as to render him unfit to practice medicine."

Until Tuesday's order, the Board of Medical Examiners has been mum on its dealings with Johnston, citing an Oct. 5, 2001, ruling by Kittrell that "all matters" in Johnston's cases be confidential.

It is not clear how long Tuesday's temporary suspension will last. The order states that it is effective pending hearings and further order by the board.

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## Let new study on racetrack honest conversation

### *Gap between races in S.C. cannot be ignored*

Published Wednesday, May 26th, 2004

South Carolina's historic racial divide remains a serious problem that needs new solutions if economic, educational and social goals are to be met.

South Carolina was one of the major importers of slaves, and its subsequent history is marked by leaders and laws that held fast to the notion of white supremacy. In short, the state has a lot to overcome. And according to a report released last week, the state still has "miles to go."

"To contend we have achieved equality, parity and equal opportunity is folly," said Fred Sheheen, who compiled the report titled "... And Miles to Go Before I Sleep" as a fellow at the University of South Carolina's Institute for Public Service and Policy Research.

It is the result of two years of study, timed to coincide with the 50th anniversary of the U.S. Supreme Court striking down segregated schools. It looks at how far the state has come along racial lines over that period in five areas: education, justice, public life, family and health, and the economy.

The report shows wide disparities between the races, both in statistics and in perceptions. For example, there are 471 white males per 100,000 in jail compared to 2,492 black males per 100,000.

The 204-page report is comprehensive and up to date. But it is not surprising. The racial divide is chronicled regularly by the Columbia Urban League in its "The State of Black South Carolina" reports. The State newspaper in Columbia reported earlier this month that "incomes for blacks rose 13 percent during the 1990s after accounting for inflation. However, for every \$1 in per-capita income for whites in 1999, blacks earned 53 cents."

The new report includes a long list of suggested changes, from a state minimum wage of \$7 an hour to universal health care. It recommends a reexamination of drug laws and the practice of black-majority districts for the General Assembly. A public works program is suggested as a last resort to reduce unemployment.

Whether or not these ideas are the answer, more attention must be paid to a disparity that holds the state back and directly impacts a third of the population.

Within the black community, new attention is being given to what more it can do for itself.

Black comedian Bill Cosby's comments last week ridiculing "lower economic people" in the black community prompted Miami Herald columnist Leonard Pitts Jr., who is black and the current Pulitzer Prize winner for commentary, to write:

"Much as some white folk pretend otherwise, racism did not vanish one fine day long ago. It lives, here, now, still. And it is, by definition, not something black people can cure through self-improvement. Racism doesn't care how educated, wealthy or decent you are. It will still call you ignorant, deny you a loan and throw you in jail. It will still give white people unearned advantages on the basis of their whiteness.

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"And yet, this also is true: For all the woe it brings, racism is not the proximate source of all the ills that beset the black underclass. We do not need white people's approval or even their involvement to correct much of what ails us -- to require that our children spend less time with BET and more with a BOOK, to reconnect our fathers with their families, to abandon the misbegotten mindset that equates ignorance and thuggery with authentic blackness."

More honesty and work is needed from both the majority and the minority to reduce South Carolina's racial divide. The problem is often hard to talk about, but it is blatantly obvious. Strides have been made, but not fast enough. In this quest, the new "Miles to Go" report can do a lot to strengthen this state.

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Posted on Wed, May. 26, 2004

## Ex-adviser says students have basic needs

By ELLYDE ROKO  
Staff Writer

**MANNING** — The gap between the quality of education students in the eight plaintiff districts need and the one they receive is "enormous" and growing larger, a noted education policy adviser and researcher testified Tuesday.

"In this free enterprise system and democracy, we don't have any children we can throw overboard," said Terry Peterson, who served as an aide to Dick Riley when he was South Carolina governor and U.S. secretary of education.

Eight poor, rural school districts are suing state government hoping Circuit Judge Thomas W. Cooper Jr. will decide those districts need additional state money to supplement local education funding.

Peterson listed 10 essential indicators of whether the opportunity for a minimally adequate education is being provided. Those elements range from pre-kindergarten services to arts programs.

Peterson also testified that students in schools with high concentrations of poverty need additional avenues for learning.

"If they're not provided with essential opportunities that are different and more than other students, they are going to have low achievement," he said.

Research shows the level of student achievement starts declining when schools have more than 30 percent of students on free and reduced lunch, an indicator of poverty, he said.

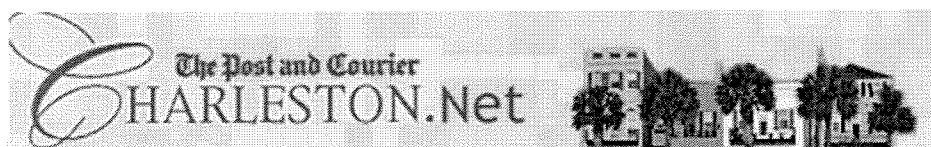
The average rate of students on free and reduced lunch in the plaintiff districts is 88 percent, said Steve Morrison, an attorney for the eight districts.

"It's very important that these children have a chance to, basically, break the cycle and poverty's hold on them," Peterson testified.

Peterson will continue his testimony this morning. The court will break for recess this afternoon, and Peterson is expected to resume his testimony on June 7.

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## Citadel may soon move bones from stadium site

### College gets conditional OK to relocate old graves before it begins renovations

BY ADAM FERRELL

Of The Post and Courier Staff

The Citadel could begin removing remains of some 200 people buried beneath its Johnson Hagood Stadium as early as the end of next week.

The school, along with other interested parties that include the Confederate Heritage Trust and the Maritime Association of the Port of Charleston want to relocate the 19th century graves before the stadium is renovated.

The graves, which belonged to sailors, soldiers, marines, orphans and widows were supposed to have been removed in 1948 before the ball field was built. But only the headstones were taken, and so the bones and burial artifacts stayed below the site for more than half a century longer until now.

Charleston City Council granted conditional approval Tuesday for the school to relocate the remains no sooner than June 1. The request came up during a citizen participation period at the meeting, which took place in the sanctuary of Providence Baptist Church on Daniel Island.

Andrea Brisbin, an attorney representing the school, explained that because of a state law, which requires a 30-day advance notice of a public hearing for such matters, the grave removal request wasn't on the agenda. The first notice of the school's plans was published in The Post and Courier on April 28, she said, which meant council couldn't consider the request until Friday. But that would delay the school's renovation plans too much.

"We're just trying to get set up so we'll be ready for football season in the fall," said Col. Donald Tomasik, The Citadel's vice president of facilities and engineering.

So council's unanimous approval came with the conditions that a notice run in the paper every day through Friday and that if anyone objects to the relocation of the remains, council would rehear the request at its next meeting in three weeks.

Since news of the cemetery relocation effort came out earlier this month, several people from across the nation have called The Post and Courier to inquire whether a relative might be buried under the stadium. A woman from Ohio wondered if her ancestor was moved there after his resting site was



moved when the Santee Cooper dam in Berkeley County was built and the once-populated region behind the dam was flooded. Another caller thought her relative, a Union soldier shipped to Charleston from the Confederate prison camp at Andersonville, Ga., might be buried there. He died in Charleston during the war, and his resting place has not been identified, she said.

Ralph Bailey Jr. is vice president of Brockington and Associates Inc., the firm of archaeologists and historians contracted to handle mapping the burial sites and collecting and cataloguing the remains. He said everything will be stored at the firm's laboratory in Mount Pleasant until the remains are re-interred either elsewhere on the stadium site or at Magnolia Cemetery.

The college plans to hold games temporarily this fall using only the visitor stands. It is moving forward with plans to renovate the stadium at its current site but is entertaining the notion of a bowl stadium either there or at nearby Stoney Field.

Councilman Jimmy Gallant, a minister, offered to conduct a memorial service when the remains are relocated.

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## Professors feel good-grade pressures

Posted Tuesday, May 25, 2004 - 10:24 pm

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Thousands of South Carolina high school graduates start college this fall on LIFE scholarships. By this time next year half of them will have lost the state lottery-funded scholarship worth up to \$5,000 a year.

And, for some, the loss goes beyond money.

"A lot of kids, if they lose their LIFE scholarship, they have to drop out," said Mark West, of Piedmont, whose son will attend Clemson in the fall.

Alex Pease, 19, of Easley, a University of South Carolina sophomore, said those who work hard can do it. "You've got to study. If I lost my scholarship, I wouldn't be mad at them. I'd be mad at myself."

The impact on family checkbooks motivates students to study harder, but also creates pressure on faculty to give higher grades and the benefit of the doubt to borderline students, and it raises a question of grade inflation.

"Grade inflation is an issue the state is facing because of how students get scholarships and keep scholarships. That's giving us some added pressure," said Dale Linvill, a Clemson University professor and former Faculty Senate president.

Students need at least a B average, or 3.0, and 30 credit hours a year to maintain their scholarships.

A little more than 49 percent of freshmen entering college with LIFE scholarships in fall

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of 2002 retained them as sophomores this past fall, according to the state Commission on Higher Education.

"College adjustment issues do affect student performance in the freshman year," said Karen Woodfaulk, director of student services at the state Commission on Higher Education.

Harder classes, problems balancing academics with extracurricular activities, roommate issues and problems with difficult course loads all can be issues, Woodfaulk said.

"It's very difficult to get a B (average) in college. For every C you make, you have to balance it with an A," Woodfaulk said.

"The good student gets hurt, the student who really works hard, when kids who were C students are making A's and B's," said state Rep. Harry Stille, R-Due West, a retired Erskine College professor, who thinks the lottery-funded scholarships have led to increased grade inflation.

Clemson spokeswoman Cathy Sams said individual faculty members may get pressure from students and parents to make sure grade point averages stay high, but grade inflation isn't a significant problem at Clemson.

"There's enough academic integrity here to make sure that doesn't happen," Sams said.

**The grading game**Clemson just finished a two-year trial on plus/minus grading that Linvill said raises new questions about grade inflation because of a high percentage of A's and B's.

Nearly 75 percent of all class grades were A's and B's the first year of the trial, but that includes one-hour courses like golf where there are lots of A's. About 73 percent of grades in three-hour courses, typical general courses, were A's and B's. About 64 percent of four-hour courses, such as calculus and engineering classes, were A's and B's.

Clemson will continue to give straight letter grades and study the possibility of plus/minus grades before a decision is reached, but it's created controversy. Faculty want to give more feedback, but students feel minuses hurt more than pluses help.

Grade point averages are important for scholarships and to be competitive in the job market, said Adam Hammond of Simpsonville, Clemson's student body president, who would have lost nearly a full grade point because of three minuses this semester if it hadn't been just a trial.

A B-minus is worth 2.7 points, a B is 3.0 and a B-plus is 3.3, and so on up and down the scale, except an A-plus is a 4.0, the same as an A. During the trial, only the straight letter grade was counted.

University of South Carolina students get pluses, which can boost their grade point averages, but not minuses. A B-plus is worth 3.5 points, so the extra effort to get a plus pays off in keeping grade point averages high enough for LIFE scholarships, Pease said.

"Some professors don't believe in giving plusses," Pease said. "I had a professor who, to get an A, you had to get a 97.5 percent in the class. It just depends on who your professor is, and that's how it works."

Grade inflation is a concern because competition for grades helps to promote excellence and because students need a rigorous academic program, said Marvin Carmichael, Clemson's director of financial aid, but he doesn't believe higher grades necessarily mean grade inflation.

"For \$5,000, you're going to study harder," Carmichael said.

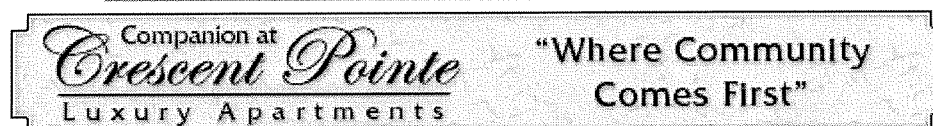
**TIPS TO KEEP THAT SCHOLARSHIP** Know about your child's class schedule and have frank discussions about course load.

Prepare your child for the variety of extracurricular and social activities on campus and how to balance them with academics.

Keep your child focused on the goal of college graduation.

Ask questions about course work and how your child is doing in class and socially. Don't accept the word "fine." Inquire further.

*Source: Karen Woodfaulk, director of student services, South Carolina Commission on Higher Education.*



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The Greenville News

## State parks offer new programs despite tough budget

Posted Tuesday, May 25, 2004 - 10:09 pm

By Ron Barnett  
STAFF WRITER  
[rbarnett@greenvillenews.com](mailto:rbarnett@greenvillenews.com)

Angie Owens glided across the wind-rippled waters of Lake Placid in a blue kayak, enjoying a weekday afternoon of solitude on the lake at Paris Mountain State Park.

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The 41-year-old librarian from Simpsonville won't have the lake to herself for long, though. Come Memorial Day weekend, the parks will be in high gear.

Already the number of visitors to state parks this year has increased over last year. At the same time, the parks are short-staffed and short on money for maintenance and programs.

So how are things going to look when you get there this summer? Will there be anything new, or are the parks struggling just to get by?

The short answer, at least for Upstate parks, is that there will be new programs and some new and improved trails, with an army of volunteers taking up the slack where state money leaves off.

But relying on a volunteer force could be cause for some concern, said Myron Floyd, a professor of parks, recreation and tourism at the University of Florida.

"In some cases, when those who are providing the funds see that, they figure that since we have volunteers that cover that, maybe we don't need to fund that type of program any more," he said.

Debbie Fowler, a member of the Friends of Paris Mountain State Park, said she hopes the Legislature doesn't see it that way.

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"I would hope that they would look at it that the citizens and the volunteers are giving their time and we should fund it," she said.

At Paris Mountain last year, 643 volunteers put in 7,847 hours doing everything from repairing trails to fixing plumbing.

"We have a lot of people who just constantly ask, what can I do," said Ty Houck, park manager. "We're more than happy to give them some ideas."

The 350 families who are members of the Friends group are helping coordinate a new series of educational programs on the fourth Saturday of each month.

Next month's program is on dragonflies and damsel flies, followed by a program on the geology of South Carolina and one on Native American crafts.

Also new, the park will offer swimming lessons this year and, in partnership with the city of Greenville, a kayak course.

Several new hiking and biking trails are open this season, including a "math trail," on which hikers are encouraged to test their skills by things like calculating the length of a bridge using geometry.

The park received \$65,000 in federal money this year to improve trails and build a 1½-mile trail that will connect Lake Placid with Sulfur Springs.

If you haven't been at the park since last summer, you will notice another change at the gate. Senior citizens from South Carolina and disabled people had been allowed in free but now will have to pay \$1.50. The regular gate admission remains at \$2 per vehicle.

"It's not that much money," said Jeremy Brown, 24, who was spending time mountain-biking with his wife, Jessica, before leaving for Kosovo with the National Guard next week.

The park this year is offering a new family season pass for swimming for \$25.

But the park system is stressed statewide, and the increase in visitors is making it tougher, said Rho Anderson, a retiree from Pawleys Island who was hiking at Paris Mountain while visiting her son in Greenville.

"The state budget cuts for all the state parks are just terrible," she said, lamenting the closure of concession stands at Huntington Beach State Park near her home on the coast.

"The ranger's job has increased so much," she said. "You have many, many more people using the parks. You have fewer rangers to do the job, to keep things safe, to keep things cleaned up. It's just harder for everybody."

But Gary Knight, 27, was feeling good about things as he headed out Brissy Ridge Trail to try out one of the new routes on his new Turner 5 Spot bike.

"It's a lot more biker friendly out here now," he said. "They seem to be heading in the right direction."

Table Rock State Park, in Pickens County, is fully staffed with lifeguards, but operating with just 12 paid staffers, down from about 60. Most of the reduction is because the park's restaurant, built by the Civilian Conservation Corps in 1938, is closed for historical preservation.

Volunteers are running the park's the nature center, working the trails and campgrounds, all which used to be done by paid staffers.

"It's just a little difference in how we operate," said park manager Poll Knowland.

The 350,000 visitors expected this year shouldn't notice much difference, though – except for improvements to the trails.

A badly eroded lower section of the Pinnacle Mountain trail was relocated and the slope reduced from a 37 percent grade to 7 percent.

Devil's Fork State Park, on Lake Jocassee, has no new facilities, and no lifeguards, but its upscale villas are booked through July, said Kevin Evans, assistant park manager.

"We're managing the best that we can with the available resources that we have," he said.

He recommends calling ahead to reserve a campsite.

Revenues are up 40 percent at Lake Hartwell State Recreation Area, after several slow years during the drought, said Jeff Atkins, park manager.

"The lake actually has water in it again," he said.

And 52 campsites that had been closed because of pine beetle damage have been reopened, thanks, in part, to volunteer help.

Statewide, revenues are up nearly 14 percent this year, said Marion Edmonds, a spokesman for the Department of Parks, Recreation and Tourism. He attributes that to better weather, an aggressive marketing campaign and an improving economy.

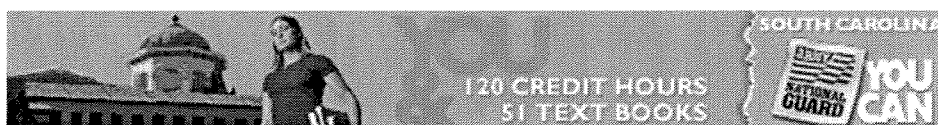
Floyd, the Florida PRT professor, said higher gas prices also may be keeping vacationers closer to home.

The Legislature hasn't completed the state budget, but the department doesn't expect to restore the 39 full-time jobs that have been cut over the past three years, not counting the reduction in seasonal workers, Edmonds said.

And there is a backlog of more than \$100 million in maintenance projects statewide that the department is trying to tackle a little bit at a time, he said.

But the increase in revenue gives hope for offsetting any reduction in the budget, he said.

"We have an advantage that other state agencies don't have in that we have something that people want to use," he said. "And we think by pricing ourselves reasonably and letting them know it's out there, we'll be all right in this thing."



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Posted on Tue, May. 25, 2004

## Beasley picks up endorsement from Peeler

JENNIFER HOLLAND  
Associated Press

**COLUMBIA, S.C.** - Republican U.S. Senate candidate David Beasley has picked up an endorsement from former Lt. Gov. Bob Peeler.

Peeler, who served with Beasley during his one term as governor, will appear in a radio ad set to run later this week.

"I think David would be a great U.S. senator and he's a good friend of mine," Peeler said Tuesday. "I had worked with him publicly and privately and I know how it is and I know how much he loves South Carolina."

"He's got a lot of work to do," said Peeler, who had considered his own bid to replace retiring Democratic U.S. Sen. Ernest "Fritz" Hollings. "There's a lot of good people running."

Beasley faces U.S. Rep. Jim DeMint, former Attorney General Charlie Condon, Charleston developer Thomas Ravenel, Myrtle Beach Mayor Mark McBride and Beaufort businesswoman Orly Benny Davis.

Two Democrats want to replace Hollings - state Education Superintendent Inez Tenenbaum and former police officer Ben Frasier.

Peeler, who competed with Condon in a crowded, rough-and-tumble gubernatorial primary in 2002, had some advice for Beasley.

"Trust your instincts and be positive and talk about what you'll do," said Peeler, who lost in the runoff to Mark Sanford. Sanford then went on to defeat Democratic Gov. Jim Hodges that November.

Peeler is now a business and real estate consultant in Lexington.

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Posted on Tue, May. 25, 2004

## Immigration Court says Columbia family can stay in U.S.

PAMELA HAMILTON  
Associated Press

**COLUMBIA, S.C.** - In a rare move, the U.S. Immigration Court has ruled a South Carolina family who has been fighting deportation to India for four years can stay in America.

Hitesh Tolani, a recent graduate of Wofford College, and his mother, Jaya, have been granted permanent residence by the Department of Homeland Security's Immigration Court and can become citizens in five years, Sen. Ernest "Fritz" Hollings said Tuesday.

"It still hasn't sunken in," said Hitesh Tolani, breathless with excitement. "It's like a fairy tale come true."

The Tolanis were ordered in 2000 by an immigration judge to voluntarily leave the United States. Their appeal was rejected by the Board of Immigration Appeals and the case was closed.

But Hollings worked with the Justice Department and the Bureau of Citizenship and Immigration Service to have the case reopened last July.

The court ruled Monday that forcing Jaya and Hitesh to leave would create a hardship on 16-year-old Ravi Tolani, a student at Irmo High School in Columbia who was born in the U.S.

The court considers a long list of factors when determining if a U.S. citizen will suffer hardship by ordering a relative to leave the country, said Buzz Burwell, a Greenville attorney for Nelson Mullins Riley and Scarborough. Some include how many years the immigrant has lived in the U.S., whether he or she has relatives in the home country to assist with child care and whether they have rendered a service in the U.S.

"This particular case happened to have a great number of the factors, which have been accumulated over the years ... to demonstrate extreme hardship," said Burwell, who represented the Tolanis at no charge.

The Tolanis have lived in the U.S. since the early 1980s, but Hitesh and his mother became illegal immigrants after the death of Hitesh's father, who had been approved for a green card.

With no close relative left to sponsor the Tolani family's application for citizenship, a judge ordered the Tolanis to return to a country where Jaya Tolani, who owns a clothing shop in northeast Columbia, said she knew few relatives.

The Tolanis' case is not an unusual one, said Dan Stein, executive director of the Federation for American Immigration Reform, a Washington, D.C.-based nonprofit organization that seeks to improve border security and stop illegal immigration.

"Lots of people here illegally have citizen children," Stein said. "This sounds like an example of political pressure having been brought to bear."

In their fight against deportation, the Tolanis have won the support of the entire South Carolina Congressional delegation, some newspaper editorial boards, and hundreds of South Carolinians who sent sympathetic letters to Hollings' office.

"We have done everything we could to let the Tolanis stay in the country because they are immigrants with a compelling case who will make excellent citizens one day," Hollings said in a statement. "Immigrants have built this country, and they will carry on the tradition, I have no doubt."

Hollings was a sponsor of a private bill originally introduced by late Sen. Strom Thurmond that would have allowed the

Tolanis to stay. The bill had passed the Senate and was in committee in the House when the Immigration Court issued its ruling.

The ruling ends a long battle that consumed all of Hitesh Tolani's four years at college and hampered his efforts to get into dental school this fall.

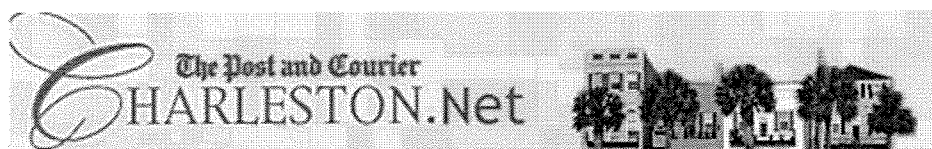
Tolani, who graduated magna cum laude earlier this month, is awaiting a letter from the University of Pennsylvania to find out whether or not he has been accepted to dental school and is making plans to apply again next year, when he will no longer have an illegal immigrant label hanging over his head.

He doesn't know yet what he will do with all of his free time. For the past year, he has kept a cell phone on his hip to keep in touch with Congressional staffers, reporters and others interested in his case. "I can finally put it down and go for a run," he said.

"It's just unbelievable," Tolani said.

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## Confederate flag suit bound for state court

### Coburg firing case sent back to S.C.

BY SCHUYLER KROPP

Of The Post and Courier Staff

Four years ago, Coburg Dairy fired Summerville resident Matthew Dixon for refusing to remove Confederate flag stickers from his toolbox.

Dixon responded by getting a Confederate flag tattooed on his arm. He also filed a lawsuit claiming wrongful termination.

On Tuesday, Dixon's lawsuit received a reprieve from the federal appeals court in Richmond, Va. The 4th U.S. Circuit Court of Appeals ruled that Dixon's complaint deserves to be heard in a South Carolina state courtroom -- where Dixon and his legal team wanted the fight to be waged from the very start.

"Oh man, you're kidding me," Dixon, a self-employed refrigeration mechanic, exclaimed after receiving news his case had been rescued from federal court.

In a 21-page unanimous order from its 13 judges, the appeals court said Dixon's complaint may be about free speech, but it's also a matter of South Carolina employment law and needs to be settled by South Carolina.

"Although Dixon's complaint does reference the First Amendment, none of its causes of action rely exclusively on a First Amendment violation to establish Coburg's liability," the judges wrote.

Dixon's lawyer, Sam Howell of Charleston, said moving the case off the federal track back to the state venue was "complete victory. This is a state matter," he said.

Dixon has to prove South Carolina law protects an employee from being fired for exercising the political right of free expression in the workplace. It could be a year before the matter sees a courtroom, Howell said.

Dixon is suing for unspecified damages, not to get his job back, he added.

The case began after Dixon was fired from his job as a refrigerator mechanic at Coburg's North Charleston office. He refused to remove two Confederate flag emblems from his toolbox after a black co-worker complained.

The dairy said the stickers violated its policy against workplace harassment and offered to buy Dixon a new unadorned toolbox.

Dixon, a member of the Sons of Confederate Veterans, told his bosses his heritage was "not for sale."

After he was let go, Dixon sued, claiming the company violated his First Amendment rights and South Carolina employment laws.

He pursued the case in state court where he said the laws better protect workers from being fired for their political opinions than federal laws do.

Coburg, however, successfully directed the case into federal court where they said the issue wasn't so much about worker speech as Coburg's right to control the atmosphere in its shop.

Federal judges reviewing the case viewed Coburg's position with favor.

"Dixon has a constitutionally protected right to fly the Confederate battle flag from his home, car or truck," one panel said. "He has the right to attend rallies on public property and to march in events organized by the SCV. And under South Carolina law, he could not be discharged for exercising his First Amendment right at these events.

"In the context of this case, however, Dixon's First Amendment right does not extend to bringing the Confederate flag inside his employer's privately owned workplace."

The case bounced around on appeal, until Tuesday's ruling.

Coburg general manager Marv Ervin said Tuesday the company was in a "wait-and-see" mode for the next stop, a state courtroom.

"At this point, there's not a great deal we can do," he said. "Unless there's some new evidence that someone brings out, we're willing to let the facts speak for themselves and let it resolve itself in the courts."

Dixon, 35, was just happy to get another chance.

He no longer has that toolbox; he traded it in for a bigger one.

"I still have (a Confederate flag sticker) on my toolbox," he said.

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Posted on Wed, May. 26, 2004



## BellSouth too dominant to have regulations lifted

IT'S PRETTY CLEAR what the government's role should be in dealing with businesses in a competitive environment and what its role should be in dealing with a monopoly that provides essential services.

When the marketplace is competitive, the state should take a hands-off role, imposing only those regulations that are necessary to serve larger societal goals, such as prohibiting discrimination and setting a wage floor. In the case of a monopoly that provides essential services, strict regulations are needed, because that's the only way the public has any recourse if the monopoly overcharges or provides an inferior service.

What's difficult to determine is what the government should do during a transition from regulated monopoly to free market, as we are experiencing now in the local telephone industry. Leave the regulations in place too long, and you give fledgling competitors an unfair advantage over the long-time monopoly. Remove them too soon, and you destroy any chance of a free market developing, because the monopoly still has enough resources to undercut competitors just long enough to run them out of business.

South Carolina's primary local telephone monopoly, BellSouth, believes that our state is in danger of committing the first sin, of leaving regulations in place so long that it is irreparably damaged by smaller competitors. Specifically, it argues that state regulation of so-called bundled services makes it impossible for the company to compete with the unregulated companies trying to win market share. And it says that with current regulations in place, it has little incentive to roll out new products it can't afford to offer now.

So BellSouth has asked the Legislature to let it change rates on bundled services without state approval and to prevent state regulators from responding to customer complaints. That doesn't sound like such a huge deal until you realize that a service is "bundled" when you add long distance or call waiting or caller ID or anything else to basic local phone service.

These will be a reasonable package of requests once the phone market throughout South Carolina has matured enough to provide real competition for BellSouth and other "incumbent" phone companies. But it hasn't.

While competitors are starting to gain a foothold with business customers, BellSouth still controls at least 90 percent of the residential market in the areas where it offers service. And customers who use other companies pay into a state fund that subsidizes BellSouth's business. Remove state regulations as much as the company wants, and it would be able to underprice its largely under-capitalized competitors long enough to drive them out of business.

Another part of the bill may be worse: It deregulates local monopoly phone companies in smaller markets if they have two cellular competitors. We can foresee a day when land-lines might become relics, but we are nowhere near that time now. We're probably even farther away in smaller communities than in larger ones.

Perhaps it is, indeed, time to give the incumbent phone companies more freedom to set some rates. But such a change must not be accompanied by the removal of customers' right to have the state intervene when they have problems with this essential service.



Posted on Wed, May. 26, 2004



## Harrell attack latest attempt by D.C. group to control S.C. government

By CINDI ROSS SCOPPE  
Associate Editor

WHEN LEGISLATORS suddenly found themselves with extra tax revenue this year, House Ways and Means Chairman Bobby Harrell decided it was more important to spend \$52 million of it eliminating the so-called "marriage penalty" and slashing the estate tax than re-hiring more laid-off teachers or further replenishing the diminished ranks of Highway Patrol troopers or prison guards.

He convinced the House to pass a bill committing the state to using surplus tax collections to make those cuts. When the Senate passed a budget that used the money to help pay for essential services, he led the House in amending it with the actual tax cuts. Then he led House budget negotiators' successful effort to win Senate support for the cuts.

While he was doing all this, a Washington anti-tax group whose only apparent S.C. priority up to that point this year had been reducing that estate tax was putting the finishing touches on a TV ad campaign calling Mr. Harrell "the face of wasteful government spending in South Carolina."

The ad drew harsh criticism from anti-tax groups in South Carolina, who were blindsided by what they considered an unfair, inaccurate and harmful attack.

What happened next was even more bizarre — and telling.

On Friday, the Washington group, Americans for Tax Reform, ran full-page ads in The State to thank "the South Carolina legislators who voted to cut taxes." The ads, referring to Mr. Harrell's \$52 million cut, singled out Gov. Mark Sanford, House Speaker David Wilkins and Sen. John Courson, and listed 63 other legislators as "officials who fought for South Carolina's hard-working families."

Mr. Harrell's name was nowhere to be found. Neither were the names of four of the other five budget negotiators, without whose approval the tax cuts could not have become law.

That's because the ad wasn't actually about cutting taxes. It was about the group's "taxpayer protection pledge," by which legislators agree to take marching orders from Washington. Americans for Tax Reform is best known for sponsoring the anti-tax pledge and then pummeling any signer who later supports a tax increase it finds offensive. Outside the Congress, South Carolina has been its biggest success: a nation-leading 33 percent of senators and 40 percent of House members have signed. But Mr. Harrell isn't among them, so he gets no praise for cutting taxes.

Americans for Tax Reform chief of staff Damon Ansell acknowledges the newspaper ad was about the tax pledge. But despite his assurance that the Harrell attack was part of the group's campaign against government-funded sports stadiums, there are indications that the pledge was key to that ad as well.

Last week, Mr. Ansell sent an e-mail to Mr. Harrell's office recapping a phone conversation about the TV ad, which claimed Mr. Harrell "secretly grabbed over \$5 million to sponsor a football game in Charleston."

"Last night I said I would request a meeting with ATR's executive council to discuss this issue," Mr. Ansell wrote. "And one of the items that would come up is whether your candidate had signed the pledge. I said if he was a signer it sure would make for an easier discussion. Additionally I asked about the possibility of not funding the (football) stadium in future years." (The full text of the e-mail is at [www.thestate.com/mld/thestate/8755697.htm](http://www.thestate.com/mld/thestate/8755697.htm).)

Mr. Ansell says he was suggesting ways his group might look favorably on Mr. Harrell in the future, not offering to pull the ad in return for a pledge.

That may be true, but Rep. Bill Sandifer said that when he asked Mr. Ansell not to run the ad to begin with, he got the

impression it never would have been made if Mr. Harrell had been a pledge signer. That impression was bolstered in his mind when the ad ran in Columbia, on days the Legislature was in town, and not in Mr. Harrell's hometown.

"I think it's a scare tactic" aimed at other lawmakers, he told me. "I don't think it works, but that's exactly what this is."

Mr. Harrell says he has been overwhelmed by the support from Mr. Sandifer and other House Republicans, more than a third of whom told him they called the Washington group to protest. Several told him they were rescinding their pledges.

"I've never signed any of those pledges," Mr. Harrell said. "I didn't sign the anti-gambling pledge, the gun pledge. The only people I've pledged my vote to is the 33,000 people I represent in Charleston. I see my vote as an almost covenant with those people, and I'm not giving it to anybody else."

But Americans for Tax Reform doesn't want legislators answering to their voters. It wants legislators to answer to Americans for Tax Reform.

The group doesn't simply oppose tax increases. Its goal is to cut taxes and government in the United States by half by 2025. To reach that goal, you could eliminate all spending on public schools and colleges in South Carolina, and eliminate Social Security and Medicare — or else eliminate all other state, local and federal spending. Take Mark Sanford's word for it: You can't get there by merely cutting waste.

The group can only reach its extremist goal if it can control the members of Congress and the members of the South Carolina General Assembly and every other elected official throughout the country.

But Mr. Sandifer, one of the most fiscally conservative members of the House, thinks the attack on Mr. Harrell could backfire. He certainly hopes so.

"We have an out-of-state group, not centered in South Carolina, and their representatives in South Carolina didn't even know about this," Mr. Sandifer said. "We've got people in another state trying to tell South Carolina how to do its business. And I think every single South Carolinian should be offended by that."

Ms. Scoppe can be reached at [cscoppe@thestate.com](mailto:cscoppe@thestate.com).